

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :
Fumiaki Ueno et al. :
Reissue application of Patent No. :
5,807,640 Issued on 9/15/98 :
Based on Serial No.: 507,495 : Applications Branch
Filed: August 28, 1995 :

For: OPTICAL RECORDING MEDIUM REPRODUCING SYSTEM, METHOD OF
REPRODUCING OPTICAL DISK, METHOD OF FABRICATING OPTICAL DISK ORIGINAL
RECORD, AND METHOD OF STOPPING ILLEGAL PROGRAM OPERATION

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN REISSUE APPLICATION**

Box 7
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

As below-named joint inventors, We hereby declare that:

Our residence, post office addresses, and citizenship's are as stated below next to our names;
and that

We verily believe that we are the original and first joint inventors of the invention entitled:
OPTICAL RECORDING MEDIUM REPRODUCING SYSTEM, METHOD OF
REPRODUCING OPTICAL DISK, METHOD OF FABRICATING OPTICAL DISK ORIGINAL
RECORD, AND METHOD OF STOPPING ILLEGAL PROGRAM OPERATION,
described and claimed in the Reissue application filed September 15, 2000, that we understand the
content of the specification filed therein, that we have reviewed and understand the content of the
specification including the claims, as well as the claims referred to in this Declaration, that we do

not know and do not believe the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to that the same was not in public use or on sale in the United States of America more than one year prior to , that the invention has not been patented or made the subject of an inventor's certificate issued before, in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to , that We acknowledge our duty to disclose information of which We are aware which is material to the examination of this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to the original application Serial No. 507,495 by us or our legal representatives or assigns, except as follows: Patent Application filed in on , priority of which is claimed.

Our original U.S. Patent 5,807,640, issued September 15, 1998, which matured from Serial No. 507,495, is believed to be wholly or partly inoperative by reason of the patentees claiming less than they had a right to claim through error and without any deceptive intention.

When comparing the scope of the protection covered by the claims of the U.S. patent 5,807,640 with the technique actually used in the products that are being made, used and/or sold in accordance with the claims, although the basic idea is common, the actual detecting circuit may not be fully covered by the present claims since the claims do not positively define the shifting of an edge of selected pits in the circumferential direction. Since, in an actual optical disk, the edge of selected pits are shifted circumferentially, it is intended add claims delineating that the edge of selected pits are shifted circumferentially to positively cover products that are actually being made, used and/or sold.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Reg. No. 37,095; Christopher D. Bright, Reg. No. P-46,578; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Stephen C. Carlson, Reg. No. 39,929; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. 46,429; Thomas A. Corrado, Reg. No. 42,439; Lawerence T. Cullen, Reg. No. 44,489; Paul Devinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Ramyar M. Farid, Reg. No. P-46,692; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuisz, Reg. No. 37,327; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; Matthew V. Grumbling, Reg. No. 44,427; John A. Hankins, Reg. No. 32,029; Joseph Hyosuk Kim, Reg. No. 41,425; Eric J. Kraus, Reg. No. 36,190; Catherine Krupka, Reg. No. 46,227; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Paquin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Thomas D. Robbins, Reg. No. 43,669; Gene Z. Rubinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; Daniel H. Sherr, Reg. No. P-46,425; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Wesley Strickland, Reg. No. 44,363; Michael D. Switzer, Reg. No. 39,552; Leonid D. Thenor, Reg. No. 39,397; Daniel S. Trainor, Reg. No. 43,959; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976

all of

All future correspondence connected therewith should be addressed to the following address.

McDermott, Will & Emery
600 13th Street, N. W.
Washington, DC 20005-3096

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: FUMIAKI UENO

Inventor's signature:

Date:

Residence: Hirata-Shi, Osaka 573 Japan

Citizenship: Japanese

Post Office Address: 5-30-810 Miyanosaka 2-chome, Hirakata-shi, Osaka 573
Japan

Full name of second inventor: MITSUAKI OSHIMA

Inventor's signature:

Date:

Residence: Kyoto-shi, Kyoto 615 Japan

Citizenship: Japanese

Post Office Address: 115-3, Minamitatemichou, Ktsura, Nishikyo-ku, Kyoto-shi,
Kyoto 615 Japan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :
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Fumiaki Ueno et al. :
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Reissue application of Patent No. :
5,807,640 Issued on 9/15/98
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ASSIGNEE'S ASSENT TO REISSUE

Box 7
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In accordance with the provisions of 37 CFR 1.172, undersigned Assignee of U.S. Patent
5,807,640 Matsushita Electric Co., Ltd., of which it is the owner by Assignment of the entire
interest, hereby assents to filing of the accompanying reissue application therefor, and further
assents to filing of the reissue oath by the inventors thereof.

By: _____
Title: _____

Date: _____

Docket No.: 50355-050RI

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :
Fumiaki Ueno et al. :
Reissue application of Patent No. :
5,807,640 Issued on 9/15/98
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RECORD, AND METHOD OF STOPPING ILLEGAL PROGRAM OPERATION

OFFER TO SURRENDER

Box 7
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In accordance with the provisions of 37 CFR 1.178, the assignee of the accompanying reissue application for the reissue of Letters Patent Number 5,807,640 for OPTICAL RECORDING MEDIUM REPRODUCING SYSTEM, METHOD OF REPRODUCING OPTICAL DISK, METHOD OF FABRICATING OPTICAL DISK ORIGINAL RECORD, AND METHOD OF STOPPING ILLEGAL PROGRAM OPERATION granted on September 15, 1998, to Fumiaki Ueno et al. and assigned to Matsushita Electric Industrial Co., Ltd. of Osaka, Japan, by assignment of the entire interest, hereby offers to surrender said Letters Patent. The original deed of Letters Patents of U.S.P. 5,807,640 will be surrendered upon notification of allowance of the reissue application.

Signature: _____
Title: _____
Date: _____ Assignee: Matsushita Electric Industrial Co., Ltd. _____

CERTIFICATE UNDER 37 CFR §3.73(b)

Applicant: Fumiaki Ueno et al.

Application No.: 507,495 Filed: August 28, 1995

For: OPTICAL RECORDING MEDIUM REPRODUCING SYSTEM, METHOD OF
REPRODUCING OPTICAL, DISK, METHOD OF FABRICATING OPTICAL DISK
ORIGINAL RECORD, AND METHOD OF
S T O P P I N G I L L E G A L P R O G R A M O P E R A T I O N

Matsushita Electric Industrial Co., Ltd. a Corporation in Japan
(Type of Assignee)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7701, Frame 0830, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From: To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned Attorney of Record has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the name of the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

9/15/2000

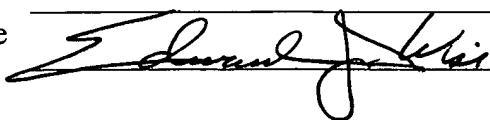
Name:

Edward J. Wise

Title:

Attorney for Applicant

Signature





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MARCH 16, 1996

PTAS

ROBERT L. PRICE
LOWE, PRICE, LEBLANC & BECKER
99 CANAL CENTER PLAZA, SUITE 300
ALEXANDRIA, VA 22314



100095405A

MAR 20 1996

PTAS

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/28/1995

REEL/FRAME: 7701/0830
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

UENO, FUMIAKI

DOC DATE: 08/01/1995

ASSIGNEE:

OSHIMA, MITSUAKI

DOC DATE: 08/01/1995

ASSIGNEE:

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.
1006 OAZA KADOMA, KADOMA-SHI
OSAKA 571, JAPAN

SERIAL NUMBER: 08507495
PATENT NUMBER:

FILING DATE: 08/28/1995
ISSUE DATE:

SEDLEY PYNE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MENT

08/507495

In consideration of the premises and good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned,

(1) Fumiaki Ueno
(2) Mitsuaki Oshima
(3)

(4) _____
(5) _____
(6) _____

(5) _____ who have made a certain new and useful invention, hereby sell, assign and transfer unto

Matsushita Electric Industrial Co., Ltd. of 1006 Oaza Kadoma, Kadoma-shi, Osaka
571 Japan

its successors and assign (hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100 in the invention entitled

Optical Recording Medium, Reproducing System, Method of Reproducing Optical Disk,
Method of Fabricating Optical Disk Original Record, and Method of Stopping
Illegal Program Operation

Illegal Program Operation
(a) for which an application for United States Letters Patent
was filed on _____, and identified by United States
Serial No. _____; or

(b) for which an application for United States Letters Patent was executed on August 1, 1995,

and the undersigned hereby authorize and request the United States Commissioner of Patents and Trademarks to issue any and all United States Letters Patent which may be granted therefor and any and all extensions, divisions, reissues, substitutes, renewals or continuations thereof, and the right to all benefits under the International Convention for the Protection of Industrial Property to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree that the attorneys of record in said application shall hereafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree to transfer a like interest, and to render all necessary assistance in making application for and obtaining original, divisional, reissued or extended Letters Patent of the United States, upon request of the said ASSIGNEE, its successors, assigns and legal representatives, and without further remuneration, in and to any improvements, and applications for patent based thereon, growing out of or related to the said invention; and to execute any papers by the said ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

SIGNED on the dates indicated aside our signatures:

INVENTORS.

1) Name: Fumiaki Ueno
2) Name: Akira Ochiai

DATE SIGNED

August 1, 1995

August 1, 1995

24 Rec'd PTO

28 AUG 1995

MRD 8-28-95

11-29-1995

81507495

A/C

75331 U.S. P.T.

U.S. DEPT.

11/17/95

FORM PTO-1596
1-31-92

DOCKET NO.: 085-018



100095405

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereto:

1. Name of conveying party(ies):

Fumiaki UENO and Mitsuaki OSHIMA

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other _____

Execution Date: August 1, 1995

2. Name and address of receiving party(ies):

Name: Matsushita Electric Industrial Co., Ltd.

Internal Address: _____

Street Address: 1006 Oaza Kadoma, Kadoma-shi, Osaka 571,
Japan

City: _____ State/Country: _____ ZIP: _____

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If the document is being filed together with a new application, the execution date of the application is: August 1, 1995

A. Patent Application No(s).

B. Patent No(s).

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: LOWE, PRICE, LEBLANC & BECKER

Internal Address: _____

Street Address: 99 Canal Center Plaza, Suite 300City: Alexandria State: VA ZIP: 223146. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41)..... \$40.00 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

12-2237

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Robert L. Price, 22,685

Name and Registration No. of Person Signing

Aug. 28, 1995

Date

Total number of pages comprising cover sheet: 1

CMB No. 0851-0011 (exp. 4/94)

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: _____

Application No./Patent No.: _____ Filed/Issue Date: _____

Entitled: _____

_____, a _____

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. [] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below.

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

- [] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date_____
Signature_____
Typed or printed name_____
Title